

By:

Caron

S.B. No. 842

A BILL TO BE ENTITLED

AN ACT

relating to issuance of certain licenses by the Texas Board of
Chiropractic Examiners.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 201.309, Occupations Code, is amended to
read as follows:

Sec. 201.309. LICENSE ISSUANCE TO CERTAIN OUT OF STATE
APPLICANTS ~~[PROVISIONAL LICENSE]~~. The board shall issue ~~[(a) A~~
~~person may apply for]~~ a ~~[provisional]~~ license to practice
chiropractic to an out of state applicant who:

(1) submits ~~[by paying a fee and filing]~~ a written
application to ~~[with]~~ the board on a form prescribed by the board,
accompanied by the application fee set by the board and any other
information requested by the board;

(2) is ~~[-~~
~~[(b) An applicant for a provisional license must:~~
~~[(1) be]~~ licensed in good standing to practice
chiropractic ~~[for at least two years]~~ in another state or foreign
country that~~[-~~

~~[(A)]~~ has licensing requirements substantially
equivalent to the requirements of this chapter;

(3) has not been the subject of a disciplinary action
and is not the subject of a pending investigation in any
jurisdiction in which the applicant is or has been licensed;

1 (4) has graduated from a chiropractic school
2 accredited by the Council on Chiropractic Education and approved by
3 rule by the board;

4 (5) has ~~[and~~
5 ~~[(B) maintains professional standards considered~~
6 ~~by the board to be equivalent to the standards provided by this~~
7 ~~chapter,~~

8 ~~[(2) have]~~ passed a national or other examination
9 recognized by the board relating to the practice of chiropractic;

10 (6) has passed the board's jurisprudence examination;

11 (7) has practiced chiropractic:

12 (A) for at least the three years immediately
13 preceding the date of the application under this section; or

14 (B) as a chiropractic educator at a chiropractic
15 school accredited by the Council on Chiropractic Education for at
16 least the three years immediately preceding the date of the
17 application under this section; and

18 (8) meets any other requirements adopted by rule

19 ~~[(3) be sponsored by a person licensed]~~ by the board
20 under this chapter ~~[with whom the provisional license holder may~~
21 ~~practice chiropractic].~~

22 ~~[(c) An applicant is not required to comply with Subsection~~
23 ~~(b)(3) if the board determines that compliance constitutes a~~
24 ~~hardship to the applicant.~~

25 ~~[(d) An applicant for a provisional license must provide~~
26 ~~with the application.~~

27 ~~[(1) a license or a certified copy of a license issued~~

1 ~~to the applicant after examination to practice chiropractic in~~
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3 ~~[(2) an affidavit of the president or secretary of the~~
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5 ~~chiropractic registration officer of the other state or foreign~~
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8 ~~canceled or revoked, and~~

9 ~~[(B) the statements or qualifications contained~~
10 ~~in the application for a chiropractic license in this state are~~
11 ~~true.~~

12 ~~[(c) As a part of the application, the applicant shall~~
13 ~~subscribe to an oath in writing before an officer authorized by law~~
14 ~~to administer oaths stating that:~~

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17 ~~suspended or canceled at the time the person moved from the area,~~

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25 ~~[(f) A provisional license is valid until the date the board~~
26 ~~approves or denies the provisional license holder's application for~~
27 ~~a license under Section 201.310.]~~

1 SECTION 2. Section 201.153(b), Occupations Code, is amended
2 to read as follows:

3 (b) Each of the following fees imposed under Subsection (a)
4 is increased by \$200:

5 (1) the fee for an annual renewal of a license;

6 (2) ~~[the fee for a provisional license,~~

7 ~~[(3)]~~ the fee for an examination; and

8 (3) ~~[(4)]~~ the fee for a reexamination.

9 SECTION 3. Section 201.310, Occupations Code, is repealed.

10 SECTION 4. This Act takes effect September 1, 2003, and
11 applies only to a license application filed with the Texas Board of
12 Chiropractic Examiners on or after that date. A license
13 application filed before that date is governed by the law in effect
14 on the date that the application was filed, and the former law is
15 continued in effect for that purpose.

By: Carona S.B. No. 842
(In the Senate - Filed March 4, 2003; March 10, 2003, read first time and referred to Committee on Health and Human Services; April 9, 2003, reported adversely, with favorable Committee Substitute by the following vote: Yeas 8, Nays 0; April 9, 2003, sent to printer.)

COMMITTEE SUBSTITUTE FOR S.B. No. 842 By: Deuell

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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(1) submits [by paying a fee and filing] a written application to [with] the board on a form prescribed by the board, accompanied by the application fee set by the board and any other information requested by the board;

(2) is[-
[(b) An applicant for a provisional license must-
[(1) be] licensed in good standing to practice chiropractic [for at least two years] in another state or foreign country that[-

[(A)] has licensing requirements substantially equivalent to the requirements of this chapter;

(3) has not been the subject of a disciplinary action and is not the subject of a pending investigation in any jurisdiction in which the applicant is or has been licensed;

(4) has graduated from a chiropractic school accredited by the Council on Chiropractic Education and approved by rule by the board;

(5) has [and
[(B) maintains professional standards considered by the board to be equivalent to the standards provided by this chapter,

[(2) have] passed a national or other examination recognized by the board relating to the practice of chiropractic;

(6) has passed the board's jurisprudence examination;

(7) has practiced chiropractic:

(A) for at least the three years immediately preceding the date of the application under this section; or

(B) as a chiropractic educator at a chiropractic school accredited by the Council on Chiropractic Education for at least the three years immediately preceding the date of the application under this section; and

(8) meets any other requirements adopted by rule

[(3) be sponsored by a person licensed] by the board under this chapter [with whom the provisional license holder may practice chiropractic].

[(c) An applicant is not required to comply with Subsection (b)(3) if the board determines that compliance constitutes a hardship to the applicant.

[(d) An applicant for a provisional license must provide with the application-

[(1) a license or a certified copy of a license issued to the applicant after examination to practice chiropractic in another state or foreign country; and

[(2) an affidavit of the president or secretary of the board of chiropractic examiners that issued the license, or of a

~~chiropractic registration officer of the other state or foreign country, stating that.~~

~~[(A) the accompanying license has not been canceled or revoked, and~~

~~[(B) the statements or qualifications contained in the application for a chiropractic license in this state are true.~~

~~[(c) As a part of the application, the applicant shall subscribe to an oath in writing before an officer authorized by law to administer oaths stating that.~~

~~[(1) the license under which the applicant practiced chiropractic in another jurisdiction was in full force and not suspended or canceled at the time the person moved from the area,~~

~~[(2) the applicant is the person to whom the license was issued,~~

~~[(3) a proceeding has not been instituted against the applicant for the cancellation of the license, and~~

~~[(4) a proceeding is not pending against the applicant in any state or federal court for an offense that would constitute a felony in this state.~~

~~[(f) A provisional license is valid until the date the board approves or denies the provisional license holder's application for a license under Section 201.310.]~~

SECTION 2. Subsection (b), Section 201.153, Occupations Code, is amended to read as follows:

(b) Each of the following fees imposed under Subsection (a) is increased by \$200:

(1) the fee for an annual renewal of a license;

(2) the fee for issuance of a [provisional] license to an out-of-state applicant;

(3) the fee for an examination; and

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* * * * *

FAVORABLY AS SUBSTITUTED
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR 842
By Carona
(Author/Senate Sponsor)
Apr. 19, 2003
(date)

Sir:

We, your Committee on HEALTH AND HUMAN SERVICES, to which was referred the attached measure, have on Apr. 13, 2003, had the same under consideration and I am instructed to report it back with the recommendation (s) that it:

- ☒ do pass as substituted, and be printed
☒ the caption remained the same as original measure
☐ the caption changed with adoption of the substitute

☐ do pass as substituted, and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☒ yes ☐ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Nelson, Chair	<input checked="" type="checkbox"/>			
Senator Janek, Vice-Chair	<input checked="" type="checkbox"/>			
Senator Carona	<input checked="" type="checkbox"/>			
Senator Deuell	<input checked="" type="checkbox"/>			
Senator Gallegos	<input checked="" type="checkbox"/>			
Senator Lindsay	<input checked="" type="checkbox"/>			
Senator Ratliff			<input checked="" type="checkbox"/>	
Senator West	<input checked="" type="checkbox"/>			
Senator Zaffirini	<input checked="" type="checkbox"/>			
TOTAL VOTES	8	0	1	0

COMMITTEE ACTION

S260 Considered in public hearing
S270 Testimony taken

[Signature]
COMMITTEE CLERK

[Signature]
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill along with TWO copies of the Committee Substitute
Retain one copy of this form for Committee files

WITNESS LIST

SB 842

SENATE COMMITTEE REPORT

Health & Human Services

April 3, 2003 - 9:00AM

Registering, but not testifying:

ON: Harwell, Jessica Director of Enforcement (Texas Board of Chiropractic Examiners),
Austin, TX

BILL ANALYSIS

Senate Research Center
78R8207 YDB-D

C.S.S.B. 842
By: Carona
Health & Human Services
4/4/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, Texas law includes antiquated requirements for a licensed out-of-state chiropractor to obtain a provisional license in Texas. For example, the Texas State Board of Chiropractic Examiners (TBCE) no longer administers a state board exam. Instead, TBCE now requires successful completion of the national board exams prior to application for a license in Texas, in lieu of the state-administered exam. C.S.S.B. 842 repeals the antiquated requirements to enable a licensed out-of-state chiropractor to be licensed in Texas upon meeting certain requirements.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 201.309, Occupations Code, as follows:

Sec. 201.309. New heading: LICENSE ISSUANCE TO CERTAIN OUT OF STATE APPLICANTS. Requires the Texas Board of Chiropractic Examiners (TBCE) to issue a license to practice chiropractic to an out of state applicant who meets certain qualifications. Adds certain required qualifications and deletes some previous requirements from existing text.

SECTION 2. Amends Section 201.153(b), Occupations Code, to provide that the fee for issuance of a license to an out-of-state applicant is \$200.

SECTION 3. Repealer: Section 201.310, Occupations Code (Issuance of License to Provisional License Holder).

SECTION 4. Effective date: September 1, 2003.
Makes application of this Act prospective.

SUMMARY OF COMMITTEE CHANGES

SECTION 2. Amends Section 201.153(b)(2) rather than deleting that subdivision as proposed in the original bill.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 4, 2003

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John Keel, Director, Legislative Budget Board

IN RE: **SB842** by Carona (Relating to issuance of certain licenses by the Texas Board of Chiropractic Examiners.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Based on the analysis of the Texas Board of Chiropractic Examiners, the provisions of the bill would have no fiscal impact to the state.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 508 Board of Chiropractic Examiners

LBB Staff: JK, EB, RT, TG

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 2, 2003

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB842 by Carona (Relating to issuance of certain licenses by the Texas Board of Chiropractic Examiners.), **As Introduced**

No fiscal implication to the State is anticipated.

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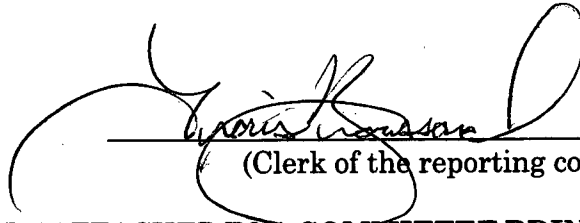
Source Agencies: 508 Board of Chiropractic Examiners

LBB Staff: JK, EB, RT, TG

REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that SB 842, by Carona,
(Bill No.) (Author/Sponsor)
was heard by the Committee on Health & Human Services on Apr. 13, 2003,
and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.


(Clerk of the reporting committee)

IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.

ADOPTED

APR 16 2003

Letty Spaw
Secretary of the Senate

By: CAROLINA

S.B. No. 842

Substitute the following for S.B. No. 842:

By: David

C.S. S.B. No. 842

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chiropractic to an out-of-state applicant who:

(1) submits [~~by paying a fee and filing~~] a written
application to [~~with~~] the board on a form prescribed by the board,
accompanied by the application fee set by the board and any other
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(2) is [~~(b) An applicant for a provisional license must:~~
~~(1) be~~] licensed in good standing to practice
chiropractic [~~for at least two years~~] in another state or foreign
country that [~~(A)~~

has licensing requirements substantially
equivalent to the requirements of this chapter;

(3) has not been the subject of a disciplinary action
and is not the subject of a pending investigation in any
jurisdiction in which the applicant is or has been licensed; 1/2

4-9-03
4-15-03 some
5-21-03 822

1 (4) has graduated from a chiropractic school
2 accredited by the Council on Chiropractic Education and approved by
3 rule by the board;

4 (5) has [and
5 ~~[(B) maintains professional standards considered~~
6 ~~by the board to be equivalent to the standards provided by this~~
7 ~~chapter;~~

8 ~~[(2) have]~~ passed a national or other examination
9 recognized by the board relating to the practice of chiropractic;

10 (6) has passed the board's jurisprudence examination;

11 (7) has practiced chiropractic:

12 (A) for at least the three years immediately
13 preceding the date of the application under this section; or

14 (B) as a chiropractic educator at a chiropractic
15 school accredited by the Council on Chiropractic Education for at
16 least the three years immediately preceding the date of the
17 application under this section; and

18 (8) meets any other requirements adopted by rule

19 ~~[(3) be sponsored by a person licensed]~~ by the board
20 under this chapter ~~[with whom the provisional license holder may~~
21 ~~practice chiropractic].~~

22 ~~[(c) An applicant is not required to comply with Subsection~~
23 ~~(b)(3) if the board determines that compliance constitutes a~~
24 ~~hardship to the applicant.~~

25 ~~[(d) An applicant for a provisional license must provide~~
26 ~~with the application.~~

27 ~~[(1) a license or a certified copy of a license issued~~ 2/3

1 ~~to the applicant after examination to practice chiropractic in~~
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25 ~~[(f) A provisional license is valid until the date the board~~
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27 ~~a license under Section 201.310.] 3/2,~~

Subsection (b),

SECTION 2. ¹Section 201.153²(b), Occupations Code, is amended to read as follows:

(b) Each of the following fees imposed under Subsection (a) is increased by \$200:

(1) the fee for an annual renewal of a license;

(2) the fee for issuance of a ~~[provisional]~~ license to
an out-of-state applicant;

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SECTION 3. Section 201.310, Occupations Code, is repealed.

SECTION 4. This Act takes effect September 1, 2003, and applies only to a license application filed with the Texas Board of Chiropractic Examiners on or after that date. A license application filed before that date is governed by the law in effect on the date that the application was filed, and the former law is continued in effect for that purpose.

Engrossed April 16, 2003
Mandi Reynolds
Engrossing Clerk

I certify this to be a true and correct
copy of the indicated document as
referred or transmitted to committee.

Chief Clerk of the House

By: Carona
(Capelo, Zedler, Naishtat, Coleman)

S.B. No. 842

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HOUSE COMMITTEE REPORT

1st Printing

By: Carona
(Capelo, Zedler, Naishtat, Coleman)

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accompanied by the application fee set by the board and any other
information requested by the board;

(2) is[-

~~(b) An applicant for a provisional license must~~

~~(1) be~~ licensed in good standing to practice
chiropractic [~~for at least two years~~] in another state or foreign
country that[-

~~(A)~~ has licensing requirements substantially
equivalent to the requirements of this chapter;

(3) has not been the subject of a disciplinary action
and is not the subject of a pending investigation in any
jurisdiction in which the applicant is or has been licensed;

1 (4) has graduated from a chiropractic school
2 accredited by the Council on Chiropractic Education and approved by
3 rule by the board;

4 (5) has ~~and~~
5 ~~[(B) maintains professional standards considered~~
6 ~~by the board to be equivalent to the standards provided by this~~
7 ~~chapter,~~

8 ~~[(2) have]~~ passed a national or other examination
9 recognized by the board relating to the practice of chiropractic;

10 (6) has passed the board's jurisprudence examination;

11 (7) has practiced chiropractic:

12 (A) for at least the three years immediately
13 preceding the date of the application under this section; or

14 (B) as a chiropractic educator at a chiropractic
15 school accredited by the Council on Chiropractic Education for at
16 least the three years immediately preceding the date of the
17 application under this section; and

18 (8) meets any other requirements adopted by rule

19 ~~[(3) be sponsored by a person licensed]~~ by the board
20 under this chapter ~~[with whom the provisional license holder may~~
21 ~~practice chiropractic].~~

22 ~~[(c) An applicant is not required to comply with Subsection~~
23 ~~(b)(3) if the board determines that compliance constitutes a~~
24 ~~hardship to the applicant.~~

25 ~~[(d) An applicant for a provisional license must provide~~
26 ~~with the application.~~

27 ~~[(1) a license or a certified copy of a license issued~~

1 ~~to the applicant after examination to practice chiropractic in~~
2 ~~another state or foreign country, and~~

3 ~~[(2) an affidavit of the president or secretary of the~~
4 ~~board of chiropractic examiners that issued the license, or of a~~
5 ~~chiropractic registration officer of the other state or foreign~~
6 ~~country, stating that:~~

7 ~~[(A) the accompanying license has not been~~
8 ~~canceled or revoked, and~~

9 ~~[(B) the statements or qualifications contained~~
10 ~~in the application for a chiropractic license in this state are~~
11 ~~true.~~

12 ~~[(c) As a part of the application, the applicant shall~~
13 ~~subscribe to an oath in writing before an officer authorized by law~~
14 ~~to administer oaths stating that:~~

15 ~~[(1) the license under which the applicant practiced~~
16 ~~chiropractic in another jurisdiction was in full force and not~~
17 ~~suspended or canceled at the time the person moved from the area,~~

18 ~~[(2) the applicant is the person to whom the license~~
19 ~~was issued,~~

20 ~~[(3) a proceeding has not been instituted against the~~
21 ~~applicant for the cancellation of the license, and~~

22 ~~[(4) a proceeding is not pending against the applicant~~
23 ~~in any state or federal court for an offense that would constitute a~~
24 ~~felony in this state.~~

25 ~~[(f) A provisional license is valid until the date the board~~
26 ~~approves or denies the provisional license holder's application for~~
27 ~~a license under Section 201.310.]~~

SECTION 2. Subsection (b), Section 201.153, Occupations Code, is amended to read as follows:

(b) Each of the following fees imposed under Subsection (a) is increased by \$200:

(1) the fee for an annual renewal of a license;

(2) the fee for issuance of a ~~[provisional]~~ license to an out-of-state applicant;

(3) the fee for an examination; and

(4) the fee for a reexamination.

SECTION 3. Section 201.310, Occupations Code, is repealed.

SECTION 4. This Act takes effect September 1, 2003, and applies only to a license application filed with the Texas Board of Chiropractic Examiners on or after that date. A license application filed before that date is governed by the law in effect on the date that the application was filed, and the former law is continued in effect for that purpose.

COMMITTEE REPORT

The Honorable Tom Craddick
Speaker of the House of Representatives

5-14-2003
(date)

Sir:

We, your COMMITTEE ON PUBLIC HEALTH

to whom was referred SB 842 have had the same under consideration and beg to report back with the recommendation that it

- (☒) do pass, without amendment.
 () do pass, with amendment(s).
 () do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
 (☒) yes () no A fiscal note was requested.
 () yes (☒) no A criminal justice policy impact statement was requested.
 () yes (☒) no An equalized educational funding impact statement was requested.
 () yes (☒) no An actuarial analysis was requested.
 () yes (☒) no A water development policy impact statement was requested.
 () yes (☒) no A tax equity note was requested.
 (☒) The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor Capelo

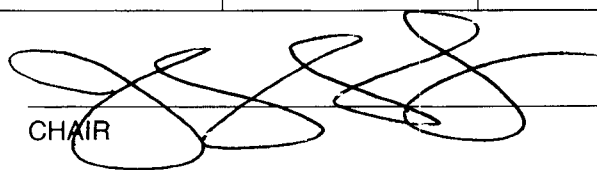
Joint Sponsors: Zedler, Naishtat, Coleman

Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Capelo, Chair				<input checked="" type="checkbox"/>
Laubenberg, Vice-chair	<input checked="" type="checkbox"/>			
Coleman				<input checked="" type="checkbox"/>
Dawson	<input checked="" type="checkbox"/>			
McReynolds				<input checked="" type="checkbox"/>
Naishtat				<input checked="" type="checkbox"/>
Taylor	<input checked="" type="checkbox"/>			
Truitt	<input checked="" type="checkbox"/>			
Zedler	<input checked="" type="checkbox"/>			

Total
5 aye
0 nay
0 present, not voting
4 absent


CHAIR

BILL ANALYSIS

S.B. 842
By: Carona
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, Texas law includes antiquated requirements for a licensed out-of-state chiropractor to obtain a provisional license in Texas. For example, the Texas State Board of Chiropractic Examiners (TBCE) no longer administers a state board exam. Instead, TBCE now requires successful completion of the national board exams prior to application for a license in Texas, in lieu of the state-administered exam. This bill repeals the antiquated requirements to enable a licensed out-of-state chiropractor to be licensed in Texas upon meeting certain requirements.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas State Board of Chiropractic Examiners in SECTION 1 (Section 201.309, Occupations Code) of this bill.

ANALYSIS

SECTION 1. Amends Section 201.309, Occupations Code, as follows:

Sec. 201.309. New heading: LICENSE ISSUANCE TO CERTAIN OUT OF STATE APPLICANTS. Requires the Texas Board of Chiropractic Examiners (TBCE) to issue a license to practice chiropractic to an out of state applicant who meets certain qualifications. Adds certain required qualifications and deletes some previous requirements from existing text.

SECTION 2. Amends Section 201.153(b), Occupations Code, to provide that the fee for issuance of a license to an out-of-state applicant is \$200.

SECTION 3. Repealer: Section 201.310, Occupations Code (Issuance of License to Provisional License Holder).

SECTION 4. Effective date: September 1, 2003. Makes application of this Act prospective.

EFFECTIVE DATE

September 1, 2003.

Enrolled May 23, 2003

Mardi Clerk
Enrolling Clerk

S.B. No. 842

AN ACT

relating to issuance of certain licenses by the Texas Board of
Chiropractic Examiners.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 201.309, Occupations Code, is amended to
read as follows:

Sec. 201.309. LICENSE ISSUANCE TO CERTAIN OUT-OF-STATE
APPLICANTS ~~[PROVISIONAL LICENSE]~~. The board shall issue ~~[(a) A~~
~~person may apply for]~~ a ~~[provisional]~~ license to practice
chiropractic to an out-of-state applicant who:

(1) submits ~~[by paying a fee and filing]~~ a written
application to ~~[with]~~ the board on a form prescribed by the board,
accompanied by the application fee set by the board and any other
information requested by the board;

(2) is ~~[-~~

~~[(b) An applicant for a provisional license must.~~

~~[(1) be]~~ licensed in good standing to practice
chiropractic ~~[for at least two years]~~ in another state or foreign
country that ~~[-~~

~~[(A)]~~ has licensing requirements substantially
equivalent to the requirements of this chapter;

(3) has not been the subject of a disciplinary action
and is not the subject of a pending investigation in any
jurisdiction in which the applicant is or has been licensed;

1 (4) has graduated from a chiropractic school
2 accredited by the Council on Chiropractic Education and approved by
3 rule by the board;

4 (5) has ~~[and~~
5 ~~[(B) maintains professional standards considered~~
6 ~~by the board to be equivalent to the standards provided by this~~
7 ~~chapter,~~

8 ~~[(2) have]~~ passed a national or other examination
9 recognized by the board relating to the practice of chiropractic;

10 (6) has passed the board's jurisprudence examination;

11 (7) has practiced chiropractic:

12 (A) for at least the three years immediately
13 preceding the date of the application under this section; or

14 (B) as a chiropractic educator at a chiropractic
15 school accredited by the Council on Chiropractic Education for at
16 least the three years immediately preceding the date of the
17 application under this section; and

18 (8) meets any other requirements adopted by rule

19 ~~[(3) be sponsored by a person licensed]~~ by the board
20 under this chapter ~~[with whom the provisional license holder may~~
21 ~~practice chiropractic].~~

22 ~~[(c) An applicant is not required to comply with Subsection~~
23 ~~(b)(3) if the board determines that compliance constitutes a~~
24 ~~hardship to the applicant.~~

25 ~~[(d) An applicant for a provisional license must provide~~
26 ~~with the application.~~

27 ~~[(1) a license or a certified copy of a license issued~~

~~to the applicant after examination to practice chiropractic in another state or foreign country, and~~

~~[(2) an affidavit of the president or secretary of the board of chiropractic examiners that issued the license, or of a chiropractic registration officer of the other state or foreign country, stating that:~~

~~[(A) the accompanying license has not been canceled or revoked, and~~

~~[(B) the statements or qualifications contained in the application for a chiropractic license in this state are true.~~

~~[(c) As a part of the application, the applicant shall subscribe to an oath in writing before an officer authorized by law to administer oaths stating that:~~

~~[(1) the license under which the applicant practiced chiropractic in another jurisdiction was in full force and not suspended or canceled at the time the person moved from the area,~~

~~[(2) the applicant is the person to whom the license was issued,~~

~~[(3) a proceeding has not been instituted against the applicant for the cancellation of the license, and~~

~~[(4) a proceeding is not pending against the applicant in any state or federal court for an offense that would constitute a felony in this state.~~

~~[(f) A provisional license is valid until the date the board approves or denies the provisional license holder's application for a license under Section 201.310.]~~

SECTION 2. Subsection (b), Section 201.153, Occupations Code, is amended to read as follows:

(b) Each of the following fees imposed under Subsection (a) is increased by \$200:

(1) the fee for an annual renewal of a license;

(2) the fee for issuance of a ~~[provisional]~~ license to an out-of-state applicant;

(3) the fee for an examination; and

(4) the fee for a reexamination.

SECTION 3. Section 201.310, Occupations Code, is repealed.

SECTION 4. This Act takes effect September 1, 2003, and applies only to a license application filed with the Texas Board of Chiropractic Examiners on or after that date. A license application filed before that date is governed by the law in effect on the date that the application was filed, and the former law is continued in effect for that purpose.

S.B. No. 842

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 842 passed the Senate on April 16, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 842 passed the House on May 23, 2003, by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 30, 2003

TO: Honorable Jaime Capelo, Chair, House Committee on Public Health

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB842 by Carona (Relating to issuance of certain licenses by the Texas Board of
Chiropractic Examiners.), **As Engrossed**

No fiscal implication to the State is anticipated.

Based on the analysis of the Texas Board of Chiropractic Examiners, the provisions of the bill would have no fiscal impact to the state.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 508 Board of Chiropractic Examiners

LBB Staff: JK, EB, RT, TG

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 4, 2003

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB842 by Carona (Relating to issuance of certain licenses by the Texas Board of Chiropractic Examiners.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Based on the analysis of the Texas Board of Chiropractic Examiners, the provisions of the bill would have no fiscal impact to the state.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 508 Board of Chiropractic Examiners

LBB Staff: JK, EB, RT, TG

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 2, 2003

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB842 by Carona (Relating to issuance of certain licenses by the Texas Board of Chiropractic Examiners.), **As Introduced**

No fiscal implication to the State is anticipated.

Based on the analysis of the Texas Board of Chiropractic Examiners, the provisions of the bill would have no fiscal impact to the state.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 508 Board of Chiropractic Examiners

LBB Staff: JK, EB, RT, TG

President of the Senate_____
Speaker of the House

I hereby certify that S.B. No. 842 passed the Senate on
April 16, 2003, by ~~a viva-voce vote~~ by the following
vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 842 passed the House on
May 23, 2003, by a non-record vote. ~~by the following~~
~~vote: Yeas _____, Nays _____, one present not voting.~~

Chief Clerk of the House

Approved:

Date_____
Governor

S.B. No. 842

By Carona

A BILL TO BE ENTITLED

AN ACT:

relating to issuance of certain licenses by the Texas Board of Chiropractic Examiners.

MAR 04 2003

Filed with the Secretary of the Senate

MAR 10 2003

Read and referred to Committee on HEALTH & HUMAN SERVICES

Reported favorably _____

APR 09 2003

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

APR 16 2003

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by: { unanimous consent
_____ yeas, _____ nays

APR 16 2003

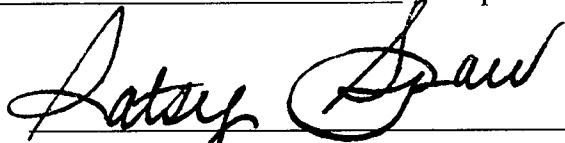
Read second time, _____, and ordered engrossed by: { ~~unanimous consent~~
a viva voce vote
_____ yeas, _____ nays

APR 16 2003

Senate and Constitutional 3 Day Rule suspended by a vote of 31 yeas, 0 nays.

APR 16 2003

Read third time, _____, and passed by: { ~~A viva voce vote~~
31 yeas, 0 nays


SECRETARY OF THE SENATE

OTHER ACTION:

April 16, 2003 Engrossed

April 16, 2003 Sent to House

Engrossing Clerk Mandi A. Rypand

APR 16 2003

Received from the Senate

APR 22 2003

Read first time and referred to Committee on Public Health

MAY 14 2003

Reported _____ favorably (~~as amended~~) (~~as substituted~~)

MAY 19 2003

Sent to Committee on (~~Calendars~~) (Local & Consent Calendars)

MAY 23 2003

Read second time (~~as amended~~) (~~as substituted~~); passed to third reading (~~failed~~) by a (non-record vote) (~~record vote of _____ yeas, _____ nays, _____ present, not voting~~)

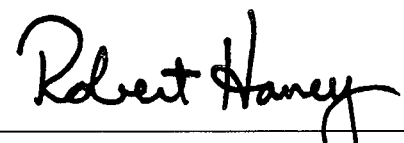
Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of _____ yeas, _____ nays, _____ present, not voting.

MAY 23 2003

Read third time (~~as amended~~); finally passed (~~failed to pass~~) by a (non-record vote) (~~record vote of _____ yeas, _____ nays, _____ present, not voting~~)

MAY 23 2003

Returned to Senate.


CHIEF CLERK OF THE HOUSE

MAY 23 2003

Returned from House without amendment.

Returned from House with _____ amendments.

Concurred in House amendments by a viva voce vote _____ yeas, _____ nays.

_____ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

_____ Senate conferees instructed.

_____ Senate conferees appointed: _____, Chairman; _____
_____, _____, and _____

_____ House granted Senate request. House conferees appointed: _____, Chairman;
_____, _____, _____.

_____ Conference Committee Report read and filed with the Secretary of the Senate.

_____ Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
_____ yeas, _____ nays

_____ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote
_____ yeas, _____ nays

OTHER ACTION:

_____ Recommitted to Conference Committee

_____ Conferees discharged.

_____ Conference Committee Report failed of adoption by: _____

{ a viva voce vote
_____ yeas, _____ nays